

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NINGBO FUTAI ELECTIC LIMITED,

Plaintiff,

v.

Civil Action No. 2:23-cv-01768-KNS

QVC, INC.,

Defendant.

STATUS REPORT

Plaintiff and Counterclaim-Defendant Ningbo Futai Electric Limited (“Futai”) and Defendant and Counterclaim-Plaintiff QVC, Inc., (“QVC”) hereby jointly submit this Status Report pursuant to the Court’s order (ECF No. 74).

1. Is the case ready for trial? If not, why not?

The case is not ready for trial. The Court stayed this case because of reexamination of U.S. Patent No. 10,571,104.

2. What discovery has been completed and what remains to be done?

Discovery has not commenced as the case is stayed.

3. Will the parties benefit from a settlement conference? If so, when will you be ready?

Defendant does not believe that a settlement conference would be beneficial at this time in view of the pending second reexamination of the asserted claims. Plaintiff asserted claims 1 through 5 of U.S. Patent No. 10,571,104. Claims 1 and 2 were cancelled in a first reexamination. A second reexamination of claims 3 through 5 has been ordered in view of prior art that the Patent Office did not previously consider.

Plaintiff believes that an early settlement conference may be beneficial as the USPTO has re-affirmed the validity of the patent-in-suit and the parties’ relative

position should have evolved sufficiently to warrant reconsideration of settlement discussions.

4. Do the parties consent to the jurisdiction of a magistrate judge?

Defendant does not consent to the jurisdiction of a magistrate judge.

Plaintiff does not consent to the jurisdiction of a magistrate judge.

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